

INSTRUCTIONS: FILL IN THE NAMES IN THE BOX NUMBER BELOW, THE INDEX NUMBER AND THE DATE THE INDEX NUMBER WAS PURCHASED. COMPLETE ALL BLANKS IN ACCORDANCE WITH THE DIRECTIONS SET FORTH IN BOLD PRINT

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF QUEENS

Maria. Whiteley.

[YOUR NAME(S)]

Plaintiff(s),

-against-

Building Service. 32.Bg.

[NAME OF PERSON(S) SUED]

Defendant(s)

Index No. 703982/19

Date Index No.
purchased _____

SUMMONS

To the Person(s) Named as Defendant(s) Above:

PLEASE TAKE NOTICE THAT YOU ARE HEREBY SUMMONED to answer the complaint of the plaintiff(s) herein and to serve a copy of your answer on the plaintiff(s) at the address indicated below within 20 days after the service of this Summons (not counting the day of service itself), or within 30 days after service is complete if the Summons is not delivered personally to you within the State of New York.

YOU ARE HEREBY NOTIFIED THAT should you fail to answer a judgment will be entered against you by default for the relief demanded in the complaint.

Dated: _____, 20____
[DATE OF SUMMONS]

MARIA. Whiteley.
[YOUR NAME(S)]

21-78.35. St. ap. 1H. 1105.
Queens. QUEENS.
(347)-465-97-50.
[YOUR ADDRESS(ES) and
PHONE NUMBER(S)]

Defendant's Address 25. West. 18 St. Street. New York. N.Y. 100.11
[ADDRESS OF PERSON(S) SUED]

Venue: Plaintiff(s) designate(s) Queens County as the place of trial. The basis of this designation is [CHECK ONE]:



Plaintiff(s) Residence in Queens County.

Defendant(s) Residence in Queens County.

Other -- Describe: 25- West. 18 St. New York. N.Y. 100.11.

NOTE: THIS FORM OF SUMMONS MUST BE SERVED WITH A COMPLAINT

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF QUEENS

Maria Whitley.

Plaintiff

703982 / 19
Index No 120

against

32BJ Union.

COMPLAINT

Defendant.

TO THE SUPREME COURT OF THE STATE OF NEW YORK

The complaint of the plaintiff, _____, respectfully
shows and alleges as follows.

The Plaintiff is Maria Whitley of 21-78 35th Street, Apt 1H, Astoria, NY 11105.

The Defendant Local 32BJ SEIU has it's New York office at 25 West 18th Street, NY, NY 10011.

The Plaintiff became a member of the Local 32BJ SEIU on or around October of 1984 and worked
for 19 years, paying dues to the Defendant throughout all this time.

On March 16, 2004, while in the employ of the company One Source, and while a member
of the Local 32BJ SEIU, the Plaintiff suffered an on the job injury. Plaintiff fractured her collar bone
and under medical orders was unable to continue her employ.

Plaintiff requested Worker's Compensation and contacted Local 32BJ SEIU for her disability benefits.

Local 32BJ SEIU initially informed Plaintiff that they had no record of her on the job injury; that
the employer had not informed them of such an injury.

After evidencing the injury, Plaintiff's request for disability benefits from Local 32BJ SEIU were
denied and Plaintiff was told to apply anew once the Worker's Compensation case and Social
Security Disability application had been approved.

The Plaintiff once again requested the disability benefits due her from the Defendant, Local 32BJ
SEIU, after having received a favorable Worker's Compensation decision and the Social Security
Administration having approved her disability application. Once again the Defendant denied

Plaintiff's claim without issuing a valid reason for the denial of benefits. Plaintiff applied to the Defendant on numerous occasions and was been denied each and every time.

On June 1, 2014 the Defendant paid Plaintiff a pension due to her retirement age, even though the Plaintiff was applying for a disability benefit. Defendant processed the Plaintiff's pension as a normal pension, as if the Plaintiff had quit her employment, instead of considering the fact that the Plaintiff had to cease working due to a work place injury.

Therefore, the Plaintiff respectfully asks the Court that the Defendant be ordered to provide the Plaintiff with the disability benefits that Plaintiff is due because of her numerous years working as a member of the Local 32BJ SEIU, benefits for which the Plaintiff paid for with her yearly dues of over 19 years. The Plaintiff also asks the Court for any other relief that the Court deems fair and proper.

Dated: 03 / 07 / 2019.

Maria Whitley
Plaintiff



NYSCEF - Queens County Supreme Court Confirmation Notice



This is an automated response for Supreme Court cases. The NYSCEF site has received your electronically filed documents for the following case.

703982/2019

MARIA WHITLEY v. BUILDING SERVICE 32 BG

Assigned Judge: None Recorded

Documents Received on 03/07/2019 12:24 PM

Doc #	Document Type	Motion #
1	SUMMONS + COMPLAINT Does not contain an SSN or CPI as defined in 202.5(e) or 206.5(e)	

Court User

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An e-mail notification regarding this filing has been sent to the following address(es) on 03/07/2019 12:24 PM:

NOTE: If submitting a working copy of this filing to the court, you must include as a notification page firmly affixed thereto a copy of this Confirmation Notice.

Audrey I. Pheffer, Queens County Clerk and Clerk of the Supreme Court - apheffer@nycourts.gov
Phone: 718-298-0173, 718-298-0601 Website: <https://www.nycourts.gov/COURTS/11jd/queensclerk>

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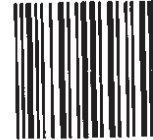
Maria Whitley
21-78 35th Street Apt. 14
Astoria, NY 11105

NEW YORK

NY 10011



1000



10011

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25 West 18th Street
New York, NY 10011

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